

DEC. 8. 2003 4:01PM

MACPHERSON KWOK CHEN

NO. 563

OFFICIAL

1762 Technology Drive
Suite 226
San Jose, CA 95110
Tel. 408-392-9250
Fax 408-392-9262

2402 Michelson Drive
Suite 210
Irvine, CA 92612
Tel. (949) 752-7040
Fax (949) 752-7049

MacPherson Kwok Chen & Heid LLP

RECEIVED
CENTRAL FAX CENTER

DEC 08 2003

FACSIMILE COVER

| | | | |
|--------------|--|------------------|------------------|
| Date: | December 8, 2003 | | |
| To: | Examiner Luke S. Wassum | Fax Telephone #: | (703) 872-9306 |
| | USPTO | | |
| From: | Jon W. Hallman | Date Sent: | December 8, 2003 |
| Subject: | Response to Office Action for Application Serial No. 09/583,133 | Time Sent: | 12:47 PM |
| Client/File: | M-8377 US | Fax Operator: | efh |

This transmittal consists of 11 total page(s), including this cover sheet.

Message:

If you do not receive all pages, please call (949) 752-7040

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

MacPherson Kwok Chen & Heid LLP

1762 Technology Drive, Suite 226

San Jose, CA 95110

Tel. (408) 392-9250

Fax (408) 392-9262

2402 Michelson Drive, Suite 210

Irvine, CA 92612

Tel. (949) 752-7040

Fax (949) 752-7049

Email: gmichelson@macpherson-kwok.com

December 8, 2003

Mail Stop AMENDMENT
 Commissioner For Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Re: Applicant(s): Lane Lee; Michael Propps
 Assignee: DPHI Acquisitions, Inc.
 Title: Method And Apparatus For Emulating Read/Write File System
 On A Write-Once Storage Disk
 Serial No.: 09/583,133
 Examiner: Luke S. Wassum
 Docket No.: M-8377 US

Filed: May 30, 2000
 Group Art Unit: 2177

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

- (1) Facsimile Cover Sheet;
- (2) This Transmittal Letter (in duplicate); and
- (3) Response to Office Action (8 pages);



No additional fee is required.

The fee has been calculated as shown below:

CLAIMS AS AMENDED

| | Claims Remaining <u>After Amendment</u> | | Highest No. Previously <u>Paid For</u> | | Present <u>Extra</u> | <u>Rate</u> | | Additional Fee |
|-----------------------|--|-------|--|---|-------------------------|-------------|----|----------------|
| Total Claims | 12 | Minus | 35 | = | 0 | x \$18.00 | \$ | 0 |
| Independent Claims | 2 | Minus | 3 | = | 0 | x \$86.00 | \$ | 0 |

Total additional fee for this Amendment:

\$

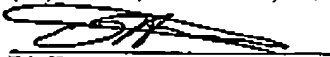
- ☒ Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested.
- ☐ Please charge our Deposit Account No. 50-2257 in the amount of \$ 0
- ☒ Also, charge any additional fees required and credit any overpayment to our Deposit Account No. 50-2257

Total:

\$

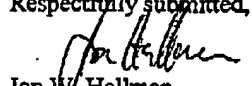
0

I hereby certify that this correspondence is facsimile transmitted
 to the Commissioner for Patents, Alexandria, VA 22313-1450, at
 (703) 872-9306, on December 8, 2003.


 Eric Hoover

December 8, 2003
 Date of Signature

Respectfully submitted,


 Jon W. Hallman
 Attorney for Applicants
 Reg. No. 42,622

DEC. 8. 2003 4:02PM

MACPHERSON KWOK CHEN

NO. 563

P. 4

RECEIVED
CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE DEC 08 2003

Applicants: Lane Lee and Michael Propps

Assignee: DataPlay, Inc.

Title: Method and Apparatus for Emulating Read/Write File System on a
Write-Once Storage Disk

Serial No.: 09/583,133

Filing Date: May 30, 2000

Examiner: Luke S. Wassum

Group Art Unit: 2177

Docket No.: M-8377 US

Irvine, California
December 8, 2003

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action dated September 8, 2003, Applicant submits the
following amendments and remarks.

LAW OFFICES OF
MACPHERSON, KWOK CHEN
& HEID LLP

2402 MICHELSON DRIVE
SUITE 210
IRVINE, CA 92612
(949) 758-7040
FAX (949) 758-7049